

REMARKS

If Examiner has any questions regarding this Request for Continued Examination or the application in general, Examiner is invited to contact Applicants' attorney at the below-listed telephone number. Claims 1-7 and 9 are currently pending in this application. Claims 1-4, 7, and 9 have been amended. Support is found throughout the specification, including the claims as originally filed. No new matter has been introduced. Applicants respectfully acknowledge that a portion of the previous 35 U.S.C. §112 rejection with respect to claims 1 and 9 relating to the scope of enablement for the breath of liposomes claimed in the present application has been overcome by the previous response dated June 5, 2003. Applicants request that the remainder of the rejection on this basis be reconsidered and withdrawn for at least the reasons stated below.

REJECTION UNDER U.S.C. §112, FIRST PARAGRAPH

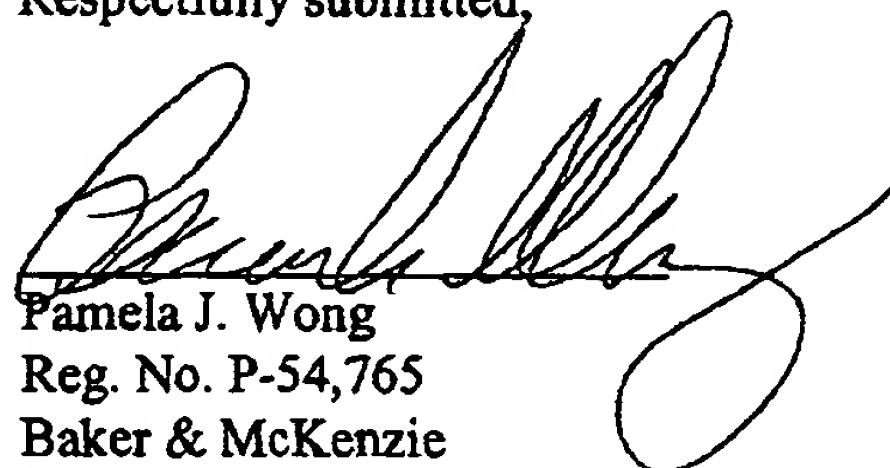
The Examiner states that claims 1-7 and 9 are not enabled because of the breadth of "therapeutic agents" claimed for administration for treatment purposes. The Examiner believes that the use of the language "therapeutic" in regards to the administered compounds implies a treatment effect upon administration. In order to further expedite the application toward allowance, Applicants amend the present claims deleting the term "therapeutic." The terms "active agent" is supported in the specification, for example, at paragraphs 31 and 32. For at least these reasons, Applicants respectfully request that rejection under 35 U.S.C. §112 be withdrawn.

CONCLUSION

This communication is believed to be fully responsive to the Advisory Action and places the present application in condition for allowance. Applicants enclose a check in the amount of \$580 to accommodate the fee for the Request for Continued Examination (\$375) and the fee for a two-month extension of time (\$205) for a small entity. The Commissioner is hereby authorized to charge any deficiencies in this application to Deposit Account 13-0480, Attorney Docket Number 32144183.1336.

If a telephone interview would be of assistance in advancing prosecution of the subject application, the Examiner is requested to telephone the undersigned at the number provided below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Pamela J. Wong', is written over the typed name and address.

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